

national interests. These points are discussed in passing but they are submerged in a welter of personal detail. Although Torrance has read quite widely in fairly well-thumbed secondary sources and has ploughed through a good deal of manuscript material and diary comment, he seems unaware of much recent research on modern Scottish history. While there are some cases – those of Walter Elliot or Willie Ross, for

example – about which it would be good to know more, Torrance's accounts do not provide much additional detail or interest and readers wishing to know more would be better advised to turn to the *Oxford Dictionary of National Biography*.

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## Man of contradictions

Arthur H. Cash, *John Wilkes, The Scandalous Father of Civil Liberty* (Yale University Press, 2006)

Reviewed by Nancy LoPatin Lummis

**H**E WAS a mass of contradictions. John Wilkes was gentleman, journalist, a captain in the King's army and a carousing libertine. He was a landowner who continually over-borrowed and depended on others to get him out of debt. He was a careless student but a loving father, committed to his daughters' education. He was also a flamboyant rabble-rouser and trouble-maker who stood before courts, jubilant crowds and Parliament, attacked government abuses, sat in prison to dramatise injustice, and fought tirelessly to sit in the parliamentary seat to which electors had, by popular vote, returned him. He was a fugitive in exile, negotiating for a safe return to England, while a national hero seeking political power. James Boswell adored him, as did his daughter Polly, seeing him as a caring man, committed to strong principles. Voltaire found him charming. He was an impetuous country squire who identified with the working man, an outlaw defended by the eighteenth-century

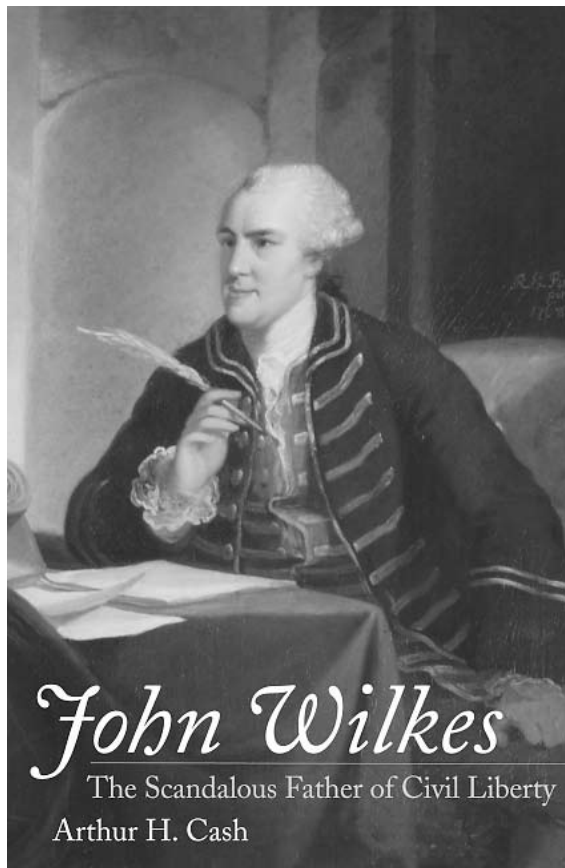
French *philosophes*. George III referred to him as 'that devil Wilkes', a characterisation echoed by Lord Mansfield, William Hogarth and numerous judges and politicians, as well as the cuckolded husbands of his many lovers. Then there were those, like Horace Walpole, who hated the man but admired his belief in liberty and electoral freedom. All, however, would agree that John Wilkes was a formidable force, whether ally or enemy.

This superb new biography of John Wilkes by Arthur H. Cash gives an entire picture of this amazing historical figure. A politician, fugitive and renegade legal reformer, Wilkes's life is revealed as one filled with principle and immorality, self-interest and tremendous generosity and, above all else, joy. Cash traces the life of this rogue and sometime demagogue from his early marriage and parliamentary career sitting for Aylesbury, through the enormously important publication of issue no. 45 of his *North Briton* and the legal and parliamentary battles and

precedents that ensued, to the culmination of his public career as Alderman, Lord Mayor and Chamberlain of the City of London. Cash argues that 'John Wilkes had established for Great Britain and subsequently the United States two closely related principles: within the simple limits of constitutional law, the people can elect as their representative whomever they please regardless of the approval or disapproval of the legislature ... [and] the first ten amendments to the American Constitution, the Bill of Rights, were written by men to whom Wilkes was a household word' (p. 3). The book then sets about the narrative of the man's life and deeds with a careful analysis of the significance, in legal and political terms, of his bold actions, which prove the success of his fight for the primacy of law and show his stamp on the development of the modern constitutional state.

Beginning with his family background, formal education and ill-conceived arranged marriage, the biography moves on to Wilkes's early forays into sexual experimentation, his local charitable and political causes, and the birth of his political career. Wilkes entered Parliament as a Pittite MP for Aylesbury in 1757. The ensuing political battle between his faction and the followers of Lord Bute, following the accession of George III, rapidly became more than simply a battle for attaining and securing political position. The infamous role of the *North Briton*, originally a response to court papers such as the *Briton* and the *Auditor*, and part of the larger propaganda war for public opinion, changed rapidly because of the suppressive tactics adopted by the King's ministers. While Wilkes's original intention was to have Bute removed from government office, his political arguments progressed

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to making the case that the King's government continually and wilfully violated the very rule of British law every time it searched and seized property it believed had been acquired without payment of excise taxes. His more personal attacks, in issue 45, had further-reaching consequences than his arrest for libel against the King. The open warrants issued by Lord Halifax on behalf of the government (which resulted in the arrest of forty-nine people, when only three were named on the warrant), and the confiscation of personal property that ensued produced a public outcry so great that general warrants would be outlawed by the courts. Wilkes countered with a civil suit against the government for false arrest, violation of privacy and destruction of private property; he opened new legal arguments and his trials served to educate the public regarding the uses and abuses of government power before the courts. For

Cash, 'Wilkes's history lay behind the guarantees of a free press, the right to privacy, the freedom from unreasonable searches and seizures, and the prohibition of non-specific arrest warrants' (p.3).

Wilkes's conviction *in absentia* for libel (he fled to the Continent) only confirmed government abuse and corruption to the masses. He became a hero, even as an outlaw exiled in France, when Lord Chief Justice Mansfield improperly (and quite politically) instructed the jurors so as to secure a guilty verdict on Wilkes, seemingly confirming that all the King's men were corrupt as could be. Whether or not the reading public believed that Wilkes's *An Essay on Women* (produced at around the same time as issue 45 of the *North Briton*) was indecent and libellous, as the Bishop of Gloucester accused it of being, he was seen as the stoutest defender of a free press and of civil liberty in general. Tensions only mounted when the electors of Middlesex returned him as MP in 1768 upon his return to England as an outlaw.

Political manoeuvring, an eleventh-hour redefinition of what arrest warrants encompassed and the declaration as illegitimate of warrants that failed to name specific individuals, changed the law, but did little to change Wilkes's position. His imprisonment in 1768 only emboldened both the man and the public which had returned him to Parliament. No longer an outlaw, but a prisoner and an MP unable to be sworn in to office, Wilkes attacked the Commons as the agency of repression. New legal precedents were established. When the House received writs declaring Wilkes the winner of by-elections and opted to ignore them in favour of illegally declaring the election void, the people attacked the Commons. No institution now seemed to

respect and abide by the laws of the ancient English constitution – a perception not lost on the North American colonists making their own case for liberty and finding a sympathetic advocate in Wilkes.

The admiration and success Wilkes experienced upon his release from prison in 1770 and his election as a High Sheriff in the City of London the following year were a response to the firm belief that justice had triumphed – thanks to its champion John Wilkes – over the forces of corruption and abuse. The man himself did not maintain unquestioned admiration and loyalty, however. While he was elected Lord Mayor of London and in 1774, returned as the MP for the County of Middlesex, other forces were taking charge on the issues of liberty and government abuses. The Americans, parliamentary reformers, and followers of Charles James Fox took the reins in the political, legal and military struggles for English liberty and the rule of law. Wilkes barely kept his seat in the House in 1784 and retired from politics soon after.

His remaining years were spent socialising in London and Bath, going to the Royal Society, spending holidays with his daughters Polly and Harriet at Sandown Cottage on the Isle of Wight, and talking with friends like Boswell and Sir Joshua Reynolds. He died in 1797, believing himself an advocate for 'everyman' to the end. His will directed that 'six of the poorest men of the parish' carry his coffin, for which they would receive clothes and a shilling (p. 391).

Throughout his life, John Wilkes was a friend of the people and a man who loved and fiercely defended the rights and liberties he believed all Englishmen were entitled to through their ancient constitution and the rule of law. His clever, often

histrionic, plans to protect those rights created the right balance of public drama and litigious embarrassment to expose a wide array of government officials who had grown to believe that inheritance and appointment trumped fundamental principles and the rational application of law and history. However complicated the man, meritorious in some areas, offensive in others, he was a critically important figure in British – and American – political and legal history.

With this wonderful new biography, light is shone on his amazingly rich and interesting character, accomplished and influential far beyond traditional teaching.

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## The two great wartime leaders

Richard Toye, *Lloyd George & Churchill: Rivals for Greatness* (Macmillan, 2007)

Reviewed by Dr J. Graham Jones

**I**N 2005 Robert Lloyd George (Lloyd George's great-grandson and the second son of the present Earl Lloyd-George of Dwyfor) published a very readable, attractive volume, *David & Winston: How a Friendship Changed History* (reviewed by the present writer in *Journal of Liberal History* 48 (Autumn 2005), pp. 49–50). This book was hailed, on publication, as 'the remarkable story of the enduring friendship between David Lloyd George and Winston Churchill', a clear indication of the line adopted by the author. Now Dr Richard Toye, one of the most able political historians at the University of Cambridge (since moved on to pastures new at Exeter University) has produced an outstandingly full and balanced survey of the political and personal relationship between the two great wartime leaders, spanning five decades. He sets the scene for what follows in his introduction, with a pungent quotation from Lloyd George about Churchill in February 1934 – 'He would make a drum out

of the skin of his own mother in order to sound his own praises' (p. 5). The book's central theme, to which Toye returns time and again (see the telling comments on pp. 146–47 and 149) is that 'Churchill's loyalty to Lloyd George was episodic' (p. 98), and the converse was certainly equally true, perhaps even more so; Lloyd George made many unpleasant, bitchy comments about Churchill. There is, throughout, a nice balance of political and personal history with a store of fascinating anecdotes and asides.

The amount of research and reading which underpins the present volume is humbly complete. Dr Toye has consulted a rich array of archival sources scattered in libraries and record offices throughout the UK. Some have not been used before. The present reviewer was delighted to see the extensive use made of the various Lloyd George archives in the custody of the Welsh Political Archive at the National Library of Wales. Especially effective use has

been made of the revealing letters from Lloyd George to his younger brother William over several decades (though it would seem that these were not quarried to illuminate those crucial weeks during November and early December 1916 which saw Lloyd George's inexorable rise to the premiership as Asquith's successor). In the case of the letters from Lloyd George to his first wife Dame Margaret, however, the author relies exclusively on the published volume of correspondence *Lloyd George: Family Letters, 1885–1936* edited by Kenneth Morgan in 1973, rather than consulting the original letters at Aberystwyth. This is a shame as only a selection of the correspondence was published by Morgan and much of interest was omitted.

There is an admirable sense of balance and fair play throughout the book as the author uses a judicious selection of sources, both published and unpublished, to tell his tale. He displays an absolute mastery of such complex themes as Lloyd George's and Churchill's involvement in the framing of the 'People's Budget' of 1909; the military, diplomatic and political manoeuvres of World War One; the Anglo-Irish negotiations and ensuing treaty of 1921; and the steps which led to the fateful Carlton Club meeting of October 1922, which heralded the end of Lloyd George's ministerial career – for ever, as it was to prove. The author has an eagle eye for the many, many myths which have grown up around both Churchill and Lloyd George as individuals and around the long, complex relationship between them. He totally debunks the widely-held, grossly over-sentimental myth, perpetuated by Robert Lloyd-George and other writers such as Martin Rintala, that the two men always remained close personal allies no matter how bitterly

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